

## United States Postal Service

## § 955.1

presiding officer. Similar action may be taken by the Judicial Officer when the proceeding is on appeal.

### § 954.23 Computation of time.

A designated period of time under these rules excludes the day the period begins, and includes the last day of the period unless the last day is a Saturday, Sunday, or holiday, in which event the period runs until the close of business on the next working day.

### § 954.24 Official record.

The pleadings, orders, exhibits, transcript of testimony, briefs, decisions and other documents filed in the proceeding constitute the official record of the proceeding.

### § 954.25 Public information.

The Librarian of the Postal Service maintains for public inspection in the Library copies of all initial and final Agency decisions. The Recorder of the Postal Service maintains a complete official record of every proceeding. A person may examine a record upon authorization by the Judicial Officer.

[36 FR 11567, June 16, 1971, as amended at 62 FR 66998, Dec. 23, 1997]

### § 954.26 Ex parte communications.

The provisions of 5 U.S.C. 551(14), 556(d) and 557(d) prohibiting ex parte communications are made applicable to proceedings under these rules of practice.

[42 FR 5358, Jan. 28, 1977]

## PART 955—RULES OF PRACTICE BEFORE THE POSTAL SERVICE BOARD OF CONTRACT APPEALS

Sec.

- 955.1 Jurisdiction, procedure, service of documents.
- 955.2 Notice of appeals.
- 955.3 Contents of notice of appeal.
- 955.4 Forwarding of appeals.
- 955.5 Preparation, contents, organization, forwarding, and status of appeal file.
- 955.6 Motions.
- 955.7 Pleadings.
- 955.8 Amendments of pleadings or record.
- 955.9 Hearing election.
- 955.10 Prehearing briefs.
- 955.11 Prehearing or presubmission conference.

- 955.12 Submission without a hearing.
- 955.13 Optional Small Claims (Expedited) and Accelerated Procedures.
- 955.14 Settling the record.
- 955.15 Discovery.
- 955.16 Interrogatories to parties, admission of facts, and production and inspection of documents.
- 955.17 Depositions.
- 955.18 Hearings—where and when held.
- 955.19 Notice of hearings.
- 955.20 Unexcused absence of a party.
- 955.21 Nature of hearings.
- 955.22 Examination of witnesses.
- 955.23 Copies of papers, withdrawal of exhibits.
- 955.24 Posthearing briefs.
- 955.25 Transcript of proceedings.
- 955.26 Representation of the parties.
- 955.27 Withdrawal of attorney.
- 955.28 Suspension.
- 955.29 Decisions.
- 955.30 Motion for reconsideration.
- 955.31 Dismissal without prejudice.
- 955.32 Dismissal for failure to prosecute.
- 955.33 *Ex parte* communications.
- 955.34 Sanctions.
- 955.35 Subpoenas.
- 955.36 Effective dates and applicability.

AUTHORITY: 39 U.S.C. 204, 401; 41 U.S.C. 607, 608, 610.

EFFECTIVE DATE NOTE: At 76 FR 37660, June 28, 2011, the authority citation to part 955 was revised, effective July 28, 2011. For the convenience of the user, the revised text is set forth as follows:

AUTHORITY: 39 U.S.C. 204, 401; 41 U.S.C. 7101–7109.

SOURCE: 74 FR 20592, May 5, 2009, unless otherwise noted.

### § 955.1 Jurisdiction, procedure, service of documents.

(a) *Jurisdiction for considering appeals.* Pursuant to the Contract Disputes Act of 1978, 41 U.S.C. 601–613, the Postal Service Board of Contract Appeals (Board) has jurisdiction to consider and decide any appeal from a decision of a contracting officer of the United States Postal Service or the Postal Regulatory Commission relative to a contract made by either. In addition the Board has jurisdiction over other matters assigned to it by the Postmaster General, and over matters otherwise authorized by applicable law.

(b) *Organization and location of the Board.* (1) The Board is located at 2101 Wilson Boulevard, Suite 600, Arlington, Virginia 22201–3078. The Board's telephone number is (703) 812–1900, and its Web site is <http://www.usps.gov/judicial>.